

REMARKS

I. Status

Claims 1-10 have been examined. Applicants have cancelled claims 2, 4 and 6-8, and have amended claims 1, 5 and 9-10. New claims 11 and 12 have been added. Accordingly, claims 1, 3, 5, and 9-12 are presently pending.

Claim 1 has been amended to recite that the flexible substrate strip comprises "inorganic textile fabric or nonwoven fabric." Support for this recitation can be found at page 5, lines 7-8 of the specification. Claim 1 has additionally been amended to recite that the heating element is disposed on a surface of the substrate strip "by being bound or sewn with a sewing machine to the surface of the substrate strip with a heat resistant thread, yarn or wire." Support for this recitation can be found at page 5, line 20 - page 6, line 4 of the specification. Claim 1 has additionally been amended to include the recitations of now-cancelled claim 2 (see page 3, lines 12-13). Claims 9 and 10 have been similarly amended.

Claim 5 has been amended to replace reference to "the surface opposite" with reference to "the other surface but."

No new matter has been added by any of the requested amendments.

II. The Rejection Pursuant to 35 U.S.C. § 112, Second Paragraph

Claims 5-8 have been rejected pursuant to 35 U.S.C. § 112, second paragraph out of a concern that they may be indefinite in light of their recitation of "the surface opposite the heating surface of the substrate strip." Applicants have amended claim 5 (claims 6-8 having been cancelled), and respectfully submit that such amendment fully addresses the Examiner's concerns. It is respectfully submitted that the rejection pursuant to 35 U.S.C. § 112, second paragraph may be properly withdrawn.

**III. The Rejection Pursuant to 35 U.S.C. § 102(b) as Anticipated by Stanfield
(U.S. Patent No. 5,371,340)**

Claims 1-8 have been rejected as anticipated by U.S. Patent No. 5,371,340 (Stanfield). Applicants have cancelled claims 2, 4 and 6-8. Claims 1 and 5 have been amended. The Examiner has suggested that Stanfield teaches a tape heater comprising the elements of Applicants' claims. Applicants respectfully traverse and request reconsideration.

Applicants respectfully submit that Stanfield teaches a "relatively rigid heating pad (see column 1, lines 56-57) for warming pets and livestock. The pad is disclosed to be composed of nonporous plastic (see column 1, line 56-58 and column 2, lines 60-66) rather than inorganic textile fabric or nonwoven fabric. In light of the express teaching of the reference that the pad possess the capacity to drain liquids (see column 2, lines 44-48), it is submitted that employing an inorganic textile fabric or nonwoven fabric would not have been obvious. It is submitted that the presently claimed invention is neither anticipated, nor rendered obvious by, the cited Stanfield reference.

Accordingly, Applicants respectfully submit that the rejection pursuant to 35 U.S.C. § 102(b) in light of U.S. Patent No. 5,371,340 (Stanfield) may be properly withdrawn

**IV. The Rejection Pursuant to 35 U.S.C. § 102(b) as Anticipated by Okamoto
(U.S. Patent No. 5,394,507)**

Claims 9-10 have been rejected as anticipated by U.S. Patent No. 5,394,507 (Okamoto). The Examiner has suggested that Okamoto teaches a pipe-heating structure and a method of applying said structure. The Examiner has further suggested that Okamoto's pipe-heating structure comprises the elements of Applicants' claims. Applicants respectfully traverse and request reconsideration.

Applicants respectfully submit that Okamoto fails to teach or suggest a tape heater comprising inorganic textile fabric or nonwoven fabric, as presently claimed. It is further submitted that the heating element of Okamoto is not disposed onto the surface of a substrate

strip by being bound or sewn with a sewing machine to the surface of the substrate strip with a heat resistant thread, yarn or wire. It is submitted that the presently claimed invention is neither anticipated, nor rendered obvious by, the cited Okamoto reference.

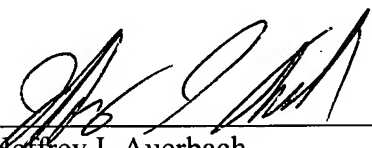
Accordingly, Applicants respectfully submit that the rejection pursuant to 35 U.S.C. § 102(b) in light of U.S. Patent No. 5,394,507 (Okamoto) may be properly withdrawn.

V. Concluding Remarks

Having now responded to all of the Examiner's rejections, Applicants respectfully submit that the present application is in condition for Allowance, and earnestly solicit early notice of such favorable action. The Examiner is respectfully invited to contact the undersigned with respect to any issues regarding this application.

Respectfully Submitted,

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